

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

DOLORES J. KOHOUT,

Plaintiff,

v.

Civil Action No. 3:06-cv-103

MICHAEL ASTRUE,
Commissioner of Social Security,

Defendant.

**NOTICE TO PLAINTIFF REGARDING THE NEED TO FILE HER BRIEF IN
SUPPORT OF HER CLAIM OR FACE POSSIBLE DISMISSAL OF HER CLAIM**

On September 29, 2006, Plaintiff filed her complaint against the Commissioner of Social Security. Commissioner filed his answer and a copy of the administrative record on December 7, 2006. Local Rule of General Procedure 83.12(b) states: "Within thirty days after the defendant has filed an answer and a complete copy of the administrative record, the plaintiff shall file a brief in support of his or her claim(s) for relief. The plaintiff shall serve copies of his or her brief upon the United States Attorney's Office." Plaintiff has yet to file a copy of her brief. Plaintiff is hereby given notice that if she does not file her brief in support of her claim by September 4, 2007, a recommendation will be entered that her complaint be dismissed for failure to comply with the Local Rules.

IT IS SO ORDERED.

The Clerk of the Court is directed to send a copy of this Order to Plaintiff's counsel by certified mail.

DATED: August 13, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE